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February 17, 2022

The Honorable Donald M. Remy
Deputy Secretary
U.S. Department of Veterans Affairs
810 Vermont Ave. NW
Washington, DC 20420

Dear Deputy Secretary Remy:

I appreciate the ongoing dialogue between the Subcommittee and the Department of Veterans Affairs (VA) Police force. This has been evidenced by multiple Subcommittee hearings in the 116th and 117th Congresses, briefings with me and my staff, and a roundtable discussion with frontline VA Police officers and VA Police leadership held January 20, 2022.

Clearly, the Department has taken strides to modernize its law enforcement operations. However, more work is needed to support VA's roughly 4,000 uniformed officers and the veterans they protect and serve.

More than three years after an alarming 2018 VA Office of Inspector General (OIG) report, the OIG's primary recommendations remain open.¹ Most notably, the Department has failed to clearly delineate management responsibilities between the Veterans Health Administration (VHA) and the Office of Operations, Security, and Preparedness (OSP) at the VA Central Office and has not implemented revised police staffing models and organizational structures at all 138 VA medical centers with a permanent police presence. The Department has also provided scant detail on other police accountability measures, including an improved system for tracking and addressing use of force incidents and officer misconduct and the future of a now-complete body camera pilot.

Moreover, I am concerned that the spirit – if not the letter – of the law regarding suicide prevention, crisis intervention, and verbal de-escalation training for VA Police officers is not being followed. Chairman Takano's Veterans Comprehensive Prevention, Access to Care, and Treatment (COMPACT) Act, which became law in December 2020, requires this training to be interactive in nature, offered annually, and informed by VA mental health experts.²

¹ Department of Veterans Affairs Office of Inspector General, *Inadequate Governance of the VA Police Program at Medical Facilities* (Report #17-01007-01) (www.va.gov/oig/pubs/VAOIG-17-01007-01.pdf)

² Pub. L. No. 116-214 (2020).

I appreciate police leadership's willingness to discuss details of a new law enforcement governance structure approved by the VA Operations Board in October 2021.³ The police officers who patrol VA campuses and keep veterans safe need clear lines of authority to effectively do their jobs. However, it is an open question whether this latest plan will provide officers with that clarity.

Regarding VA Police staffing, I am aware of VHA's recent directive mandating facility-specific staffing models, organizational structures, and standardized position descriptions at all medical centers with a police presence by March 19, 2022.⁴ I am also aware of adjustments to the VA Police "career ladder," which among other objectives, makes officers at the GS-6 paygrade eligible for upgrades to the GS-7 level. However, I want to see evidence that individual medical center directors and police chiefs have actually implemented these changes. The VA Police force cannot operate effectively with a nearly 30% vacancy rate among its ranks – as was the case in early December 2021.⁵

VA must also improve suicide prevention and crisis intervention training for VA Police officers, especially in light of the 230 suicide attempts and 15 suicide deaths on VA property in Fiscal Year (FY) 2021.⁶ VA Police officers have a critical role to play in responding to veterans in all forms of mental health crisis, and they must be equipped with all tools necessary to respond to these incidents with professionalism and care. That is why I was disheartened to learn that officers are merely being asked to participate in a one-hour, online module rather than receiving truly interactive, annual refresher training, which was the clear intent of Section 205 of the COMPACT Act.⁷

Lastly, I seek additional detail on an internal affairs database that is being stood up to better track use of force incidents and officer misconduct across the Police force. VA leadership should have visibility over police incidents through a modern and effective data system.

In an effort to better understand and evaluate VA's implementation of these various initiatives, please provide the following information by March 21, 2022:

- 1) Documentation (e.g. Deputy Secretary guidance, action memo(s), implementation timelines) showing progress regarding the VA Police force's revised governance structure;

³ Department of Veterans Affairs, Human Resources and Administration/Operations, Security, and Preparedness Presentation to the VA Operations Board (Oct. 13, 2021).

⁴ See, e.g., Memorandum from Assistant Under Secretary for Health for Operations to Veterans Integrated Service Network (VISN) Directors and Medical Center Directors, Implementation of Classification Modernization Project in Support of the VHA Police Services Program (Dec. 9, 2021).

⁵ Veterans Health Administration, Workforce Management and Consulting Office, *Police (0083) Onboard FTE and Vacancy FTE* (Dec. 10, 2021).

⁶ Email from Office of Congressional & Legislative Affairs, U.S. Department of Veterans Affairs, to Committee on Veterans' Affairs Staff (Jan. 10, 2022).

⁷ Department of Veterans Affairs, *Report on COMPACT Act of 2020, Section 205, Police Crisis Intervention Training of Department of Veterans Affairs* (November 2021).

- 2) Evidence that facility-specific staffing models, organizational structures, standardized position descriptions, and pay scale upgrades have been put in place at all 138 VA medical centers with a permanent police presence;
- 3) Evidence that suicide prevention/crisis intervention training for VA Police officers is being retooled to fully comply with Section 205 of the COMPACT Act;
- 4) Information sufficient to understand the progress that has been made on standing up an internal affairs database to better track and address use of force incidents and officer misconduct; and
- 5) Information sufficient to understand the Department's future plans for equipping VA Police officers with body-worn cameras.

Thank you in advance for your attention to this letter. Please direct any written response to Joel Walsh (joel.walsh@mail.house.gov), professional staff for the Subcommittee. Please also copy Ms. Kassie Stagner, Committee staff assistant, at kassie.stagner@mail.house.gov.

Sincerely,

A handwritten signature in black ink that reads "Chris Pappas". The signature is written in a cursive, flowing style.

Chris Pappas

Chairman

Subcommittee on Oversight & Investigations